ysis are for the purpose of determining the existence and extent of environmental pollution and determining the degree of danger to public health or welfare or the environment.

There are three steps in the environmental repair procedure:

1. Step one in the environmental repair procedure is the preparation by the DNR of an inventory of sites or facilities which cause or threaten to cause environmental pollution. The inventory will be comprehensive and will not be based on the potential degree of harm associated with the site or facility. The DNR is required to publish the inventory and any amendments to it in a major newspaper with statewide circulation. The inventory is not promulgated as a rule. The DNR is not required to conduct a public hearing when the inventory is published and the inventory is not subject to judicial review.
2. Step two in the environmental repair procedure is the preparation by the DNR of a hazard ranking list. The DNR is required to promulgate hazard ranking criteria by rule. These criteria will include a variety of factors regarding the degree of risk or potential for harm associated with the facility and the urgency of taking remedial action. The hazard ranking list will rank sites or facilities, with the order determined by the hazard ranking criteria. The DNR is required to publish the hazard ranking list and any amendments to it in a major newspaper with statewide circulation. The hazard ranking list is not promulgated as a rule. Upon request, the DNR is required to hold a public informational hearing on the hazard ranking list, but the DNR is not required to conduct a hearing as a contested case. The hazard ranking is not subject to judicial review.
3. Step three in the environmental repair procedure is the environmental repair work. The DNR has the authority to undertake environmental repair on its own, to enter into contracts for environmental repair or to enter into agreements whereby parties responsible for the disposal site will undertake environmental repair.

In determining the order in which remedial action will be undertaken at sites or facilities, the DNR is authorized to consider a variety of factors, including: (1) the hazard ranking of the site or facility; (2) the amount of funds available for environmental repair; (3) the information available about a site or facility; (4) the willingness and ability of a responsible person to undertake or assist in remedial action; and (5) the availability of federal funds. The DNR will not consider the amount of money paid into the environmental repair fund by a facility in determining whether to undertake remedial action.

When the DNR makes a decision to undertake remedial action at a site or facility, any person may request a public hearing on the subject of whether the proposed expenditure is within the purposes of the environmental repair program and is reasonable in relation to the cost of obtaining similar materials and services. The DNR is not required to treat the hearing as a contested case. The decision of the DNR to undertake remedial action is subject to judicial review.